

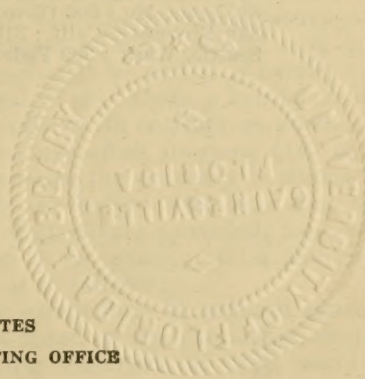
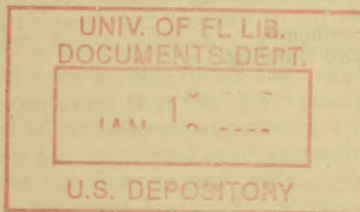
NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION

FOR THE

REINFORCING MATERIALS
FABRICATING INDUSTRY

AS APPROVED ON OCTOBER 5, 1934



UNITED STATES
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Approved Code No. 127—Amendment No. 1

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

REINFORCING MATERIALS FABRICATING INDUSTRY

As Approved on October 5, 1934

ORDER

APPROVING AMENDMENT TO CODE OF FAIR COMPETITION FOR THE REINFORCING MATERIALS FABRICATING INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment to a Code of Fair Competition for the Reinforcing Materials Fabricating Industry, and opportunity to be heard having been given and the annexed report on said amendment, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, the National Industrial Recovery Board, pursuant to authority vested in it by Executive Orders of the President, including Executive Order No. 6859, dated September 27th, 1934, and otherwise; does hereby incorporate by reference, said annexed report and does find that said amendment and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and does hereby order that said amendment be and it is hereby approved, and that the previous approval of said Code is hereby modified to include an approval of said Code in its entirety as amended, such approval and such amendment to take effect fourteen (14) days from the date hereof, unless good cause to the contrary is shown to the National Industrial Recovery Board before that time and the Board issues a subsequent order to that effect; provided, however, that Section 5 of Article V be deleted in its entirety and a new Section 5 of Article V be inserted which is as follows:

"SEC. 5. The expenses and reserves which shall be assessed against each member of the Industry shall be based on the proportion which the value of shipments of reinforcing materials of such member

bears to the total value of shipments of reinforcing materials of all members of the Industry in the same current accounting period as determined by the Board of Directors."

NATIONAL INDUSTRIAL RECOVERY BOARD,
By G. A. LYNCH, *Administrative Officer.*

Approval recommended:

WALTER G. HOOKE,

Acting Division Administrator.

WASHINGTON, D. C.,

October 5, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: An application has been duly made pursuant to and in full compliance with the provisions of the National Industrial Recovery Act, for amendment to the Code of Fair Competition for the Reinforcing Materials Fabricating Industry, submitted by the Code Authority for said Industry.

The purpose and effect of the deletions and amendment as submitted are to revise the Code in conformity with the standard requirements for control by the Administration of the action of the Code Authority, and for the insertion in the Code of the standard mandatory clauses for the basis of assessment and contribution.

FINDINGS

The Assistant Deputy Administrator in his final report to The National Industrial Recovery Board on said amendment to said Code having found as herein set forth and on the basis of all the proceedings in this matter:

It is found that:

(a) The amendment to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof and will provide for the general welfare by promoting the organization of Industry for the purpose of cooperative action among trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of the industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation sub-section (a) of Section 3, sub-section (a) of Section 7, and sub-section (b) of Section 10 thereof.

(c) The amendment and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(d) The amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(e) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendment.

For these reasons, therefore, said amendment is hereby approved.

Respectfully,

NATIONAL INDUSTRIAL RECOVERY BOARD,
By G. A. LYNCH, *Administrative Officer*.

OCTOBER 5, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE REINFORCING MATERIALS FABRICATING INDUSTRY

Delete in Executive Order the following words:

“provided that the following be added as section 8 of article V of the code.

“The Board of Directors shall have the powers and duties elsewhere provided in this code, subject to the right of the Administrator, on review, to disapprove or modify any action taken by the Board of Directors.”

Delete section 8 of article V in its entirety, which is as follows:

“SEC. 8. The Board of Directors shall have the powers and duties elsewhere provided in this code, subject to the right of the Administrator, on review, to disapprove or modify any action taken by the Board of Directors.”

Insert as new section 8 of article V the following:

“SEC. 8. If the National Industrial Recovery Board shall at any time determine that any action of a code authority or any agency thereof may be unfair or unjust or contrary to the public interest, the National Industrial Recovery Board may require that such action be suspended to afford an opportunity for investigation of the merits of such action and further consideration by such code authority or agency pending final action which shall not be effective unless the National Industrial Recovery Board approves or unless it shall fail to disapprove after thirty days' notice to it of intention to proceed with such action in its original or modified form.”

Insert at end of article V the following as sections 9, 10 and 11:

“SEC. 9. It being found necessary in order to support the administration of this Code and to maintain the standards of fair competition established hereunder and to effectuate the policy of the Act, the Code Authority is authorized:

“(a) To incur such reasonable obligations as are necessary and proper for the foregoing purposes, and to meet such obligations out of funds which may be raised as hereinafter provided and which shall be held in trust for the purposes of the Code.

“(b) To submit to the National Industrial Recovery Board for its approval, subject to such notice and opportunity to be heard as it may deem necessary (1) an itemized budget of its estimated expenses for the foregoing purposes, and (2) an equitable basis upon which the funds necessary to support such budget shall be contributed by members of the Industry;

“(c) After such budget and basis of contribution have been approved by the National Industrial Recovery Board, to determine and obtain equitable contributions as above set forth by all members of the Industry, and to that end, if necessary, to institute legal proceedings therefor in its own name.



"SEC. 10. Each member of the Industry shall pay his or its equitable contribution to the expenses of the maintenance of the Code Authority, determined as hereinabove provided, and subject to rules and regulations pertaining thereto issued by the National Industrial Recovery Board. Failure to make payment thereof, after proper notice, will render a member of the Industry liable to appropriate legal proceedings. Only members of the Industry complying with the Code and contributing to the expenses of its administration as hereinabove provided, unless duly exempted from making such contributions, shall be entitled to participate in the selection of members of the Code Authority or to receive the benefits of any of its voluntary activities or to make use of any emblem or insignia of the National Recovery Administration.

"SEC. 11. The Code Authority shall neither incur nor pay any obligation substantially in excess of the amount thereof as estimated in its approved budget, and shall in no event exceed the total amount contained in the approved budget, except upon approval of the National Industrial Recovery Board; and no subsequent budget shall contain any deficiency item for expenditures in excess of prior budget estimates except those which the National Industrial Recovery Board shall have so approved."

Approved Code No. 127—Amendment No. 1.
Registry No. 1118-08.

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